



Department of Planning, Housing, & Community Development

Mayor, Matthew T. Ryan
Director, Tarik Abdelazim

STAFF REPORT

TO: Planning Commission Members
FROM: H. Peter L'Orange, Historic Preservation and Neighborhood Planner
DATE: 13 May 2013
SUBJECT: 28 Lincoln Avenue
TM ID #: 160.46-6-8
CASE: 2013-25
COPIES: B. Seachrist, T. Costello, T. Rennia (District 3), D. Thomas, File

A. REVIEW REQUESTED

David Thomas, the project contractor and representing the property owners, Liz and Derek Rorie, has submitted an application for Series A Site Plan / SUP review for the construction of a two (2) bedroom addition on the rear of an existing four (4) bedroom single-family dwelling. The proposed addition would include a master bedroom with attached bathroom and a second bedroom, both intended for family members of the property owners; it would measure 26 feet wide by 15 feet deep, for a total of 390 square feet of additional floors area. The proposed addition would be located where an existing deck and back porch are currently located; the area for the proposed addition is currently impermeable blacktop.

Per §410-29 (G), the conversion or construction of dwelling units to more than four (4) bedrooms requires a Series A Site Plan / Special Use Permit review and approval by the Planning Commission.

B. ADDITIONAL REVIEWS

The project does not require any variances from the Zoning Board of Appeals.

The project does not involve a locally designated historic structure; review by the Commission on Architecture and Urban Design is not required.

The project is not located within the boundaries of the Local Waterfront Revitalization Program (LWRP); review by the Waterfront Advisory Committee is not required.

The project does not require 239 L&M review by Broome County.

C. COMPREHENSIVE PLAN & INITIATIVES IDENTIFIED FOR SUBJECT AREA

The Comprehensive Plan, adopted in 2003, does not provide any specific recommendations related to this project or this part of the City.

D. STANDARDS FOR APPROVAL OF SITE PLANS

Listed below are the *Standards for approval of site plans* found in Article IX of the Zoning Ordinance. In reviewing a Series A Site Plan application, the Planning Commission is guided by the existing characteristics and conditions of the site, its surroundings, and the particular requirements of the Applicant. Elements of concern include, but are not limited to the following:

- Movement of vehicles and people
- Public safety
- Off-street parking and service
- Lot size, density, setbacks, building size, coverage and height
- Landscaping, site drainage, buffering, views or visual character
- Signs, site lighting
- Operational characteristics
- Architectural features, materials and colors
- Compatibility with general character of neighborhood
- Other considerations that may reasonably be related to health, safety, and general welfare

In addition to the requirements set forth above for a site plan approval, per §410-29(G) the conversion or construction of a dwelling unit to more than four (4) bedrooms must meet the following standards:

- Minimum unit size. The dwelling unit, after conversion or construction, must meet all applicable specifications of the New York State Uniform Fire Prevention and Building Code, including minimum unit size.
- Minimum building size. No dwelling unit conversion or construction shall be permitted in a dwelling unit with less than 1,500 square feet of gross floor area.
- Minimum lot area requirements. No bedroom may be added to a dwelling unit, if the property does not comply with the lot area requirements of the district in which the property is located.
- Parking regulations. No dwelling unit conversion shall be permitted unless the dwelling shall, following such conversion, comply with all off-street parking required by Article X of the Zoning Ordinance.

E. SITE REVIEW

The subject property is located on the north side of Lincoln Avenue, between Laurel Avenue and Millard Avenue. The area is residential, with the majority of the properties being single-family dwelling units; there are a few two- and three-family dwelling units, but these are the exceptions. The subject property is located in a R-1, Single-Family Residential District. Located a couple blocks to the north are Horace Mann Elementary School, Seton Catholic High School, and Recreation Park. A small C-4 Neighborhood Commercial District is located east and slightly south of the subject project, on Leroy Street. The property is located within the Abel Bennett National Register Historic District; this district is not locally designated so no review by the Commission on Architecture and Urban Design is necessary.

F. PREVIOUS ZONING BOARD & PLANNING COMMISSION ACTIVITY

11 Davis Street: The Zoning Board of Appeals granted an area variance of side yard setback requirements to Gary Rendsburg in 1988 to construct a deck.

17 Lincoln Avenue: In 1997, a request was submitted to the Zoning Board of Appeals by Jeffrey Mueller to install an eight-foot high decorative fence, but the application was withdrawn prior to the public hearing.

99 Seminary Avenue: In 1989, two area variances were granted to Kenneth Goodrich by the Zoning Board of Appeals to permit the enlargement of an existing two-car garage.

G. ENVIRONMENTAL IMPACT

The applicant's proposal is a SEQR **Type II** Action. No further environmental review is required under the State Environmental Quality Review Act.

H. STAFF FINDINGS

Planning Staff has the following findings:

1. The Planning Commission must determine if the requirements of Section 410-47 for Standards for Approval of Site Plans have been met.

The proposed project will not have any significant impacts related to the requirements set forth in this section. The proposed architectural design for the addition is consistent and appropriate for the character of the existing structure; the materials to be used on the addition will be consistent with the existing structure. The proposed project will not have any impact on stormwater runoff as the area is already impervious.

2. The Planning Commission must determine if the requirements of Section 410-29(G) for Conversion or Construction of Dwelling Units to More than Four (4) Bedrooms have been met.

The subject property meets all of the requirements and standards set forth in this section. The new bedrooms and the dwelling unit as a whole are compliance with the New York State code; additionally, the property meets all of the bulk requirements as established in the City of Binghamton Zoning Code.

I. ENCLOSURES

Enclosed are copies of the site plan, floor plan, application and site photos.

Sincerely,

H. Peter L'Orange
Historic Preservation and Neighborhood Planner

Enclosures